

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

EDWARD TOCKTOO,

Petitioner,

vs.

CRAIG TURNBULL,

Respondent.

Case No. 3:04-cv-0117-RRB

ORDER OF DISMISSAL
WITHOUT PREJUDICE

Before the Court, at Docket 24, is Petitioner's Motion for Stay of Proceedings. The Court has also reviewed Petitioner's Report and Brief in Support of Post-Conviction Relief at Docket 32.

It appears that Petitioner has yet to exhaust all of his State court remedies with proceedings in State court on-going. It is therefore premature for the Court to consider the pending Petition for Writ of Habeas Corpus at Docket 2. Said Petition is therefore **DISMISSED** without prejudice. In the event Petitioner desires to file a subsequent petition after all State court

proceedings are resolved, he may receive credit for any fees paid in this matter.

IT IS SO ORDERED.

ENTERED this 28th day of November, 2006.

S/RALPH R. BEISTLINE
UNITED STATES DISTRICT JUDGE